

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

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BILL DRAFT 2017-MWz-21 [v.8] (03/20)

**(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
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Short Title: Unanticipated Bridge/Road Closure/Waive Bids.

(Public)

Sponsors:

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT CLARIFYING THE AUTHORITY OF THE DEPARTMENT OF
3 TRANSPORTATION TO ENTER INTO CONTRACTS WITHOUT COMPLYING WITH
4 BIDDING REQUIREMENTS WHEN AN EMERGENCY EXISTS, AS
5 RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STRATEGIC
6 TRANSPORTATION PLANNING AND LONG TERM FUNDING SOLUTIONS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 136-28.1(e) reads as rewritten:

9 "(e) The Department of Transportation may enter into contracts for construction,
10 maintenance, or repair without complying with the bidding requirements of this section upon a
11 determination of the Secretary of Transportation or the Secretary's designee that an emergency
12 exists and that it is not feasible or not in the public interest for the Department of
13 Transportation to comply with the bidding requirements. For purposes of this section the term
14 "emergency" includes an unanticipated bridge closure, road closure, or weight restriction that
15 results in detours or deters the free movement of goods and services and requires an estimated
16 expenditure of ten million dollars (\$10,000,000) or less in construction, maintenance, or repair
17 costs."

18 **SECTION 2.** This act is effective when it becomes law.



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